IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 222 OF 2006

IN

CRIMINAL MISC. APPLICATION NO. 127 OF 2006

SERTORIO S. FACHO, PANJIM GOA. ....Applicant

Versus

MR. CAETANO PINHO OR CAETANO SOUSA, PANJIM, GOA. ....Respondent

Applicant in person,

Coram:- N. A. BRITTO, J.

Date:- 30th August, 2006

.C.:-

Heard the applicant in person.

The applicant invokes this Court's extraordinary jurisdiction under Section 482 of the Code of Criminal Procedure, 1973(Code, for short) to set aside the Order of this Court dated 7-4-2006 passed under the same Section 482 of the Code. This exercise is impermissible in the light of what has been held by this Court by Order dated 6-5-2005 in Criminal Miscellaneous Application No.6 of 2005(M/s. Venus Steel Products through its Proprietor Shri Jaime S. Lazaro v. Shri Michael Francis Pinheiro and another) relying on various decisions of the Apex Court including R. Annapurna v. Ramadugu(2002(10) SCC 401) wherein the Apex Court held that the High Court has no power to recall or review its own order under Section 482 of the Code. The applicant's remedy lies elsewhere. Hence, the petition is hereby dismissed.

N. A. BRITTO, J.

RD.